

CALIFORNIA.~~STATE~~ BOARD OF HEALTH.

MONTHLY BULLETIN.

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No. 6

STATE BOARD OF HEALTH.

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N. K. FOSTER, M.D., *State Registrar* .. Sacramento | GEORGE D. LESLIE, *Statistician*

STATE HYGIENIC LABORATORY.

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STATE FOOD AND DRUG LABORATORY.

M. E. JAFFA, M.S., *Director*

NOTICES TO REGISTRARS.

New Numbers for Certificates.—Local Registrars are reminded of the provision of Section 9 of the death registration law requiring them to number original certificates “in consecutive order, beginning with number one for the first death in each calendar year.” After transmitting to the State Registrar certificates for deaths to December 31, 1908, including certificates received by County Recorders from their subregistrars for deaths to the end of the year, each Local Registrar should start a new series of numbers by putting the figure 1 on the first certificate for a death in 1909 filed with him or received from a sub-registrar in January.

Since the death certificates are copied for statistical tabulations made by the Federal Census Bureau, it is imperative that the certificates for each calendar year be kept quite separate in numbering, as specifically required by our State law. County Recorders may delay forwarding the December certificates even after January 5, or until subregistrars will have sent them certificates for all deaths to the end of 1908. The State Registrar will withhold his approval of fee accounts for the last quarter of 1908 until it appears that certificates for practically all deaths in 1908 have been forwarded to Sacramento.

The same requirement as to the starting of new series of numbers in 1909, of course, applies also to the numbering of certificates of births and marriages in the order in which they are reported to Local Registrars.

Complete Reports Each Month.—Local Registrars are also instructed that it is the clear intent of the law that the original certificates forwarded to the State Bureau of Vital Statistics early each month should be a substantially complete report of all births, marriages, and deaths, especially the last, in the several registration districts in the preceding month. Inaccuracies are introduced into the statistics when a Local Registrar's report for a certain month includes scattering certificates which belong with the returns for an earlier month or months. Throughout 1909, therefore, Local Registrars must take pains to forward reports that are practically complete, especially as to deaths, month by month.

Necessity of Thorough Registration.—In 1906 the United States Census Bureau at Washington, D. C., accepted California as a registration State, and that department is furnished each month with copies of all death certificates received by the State Bureau of Vital Statistics of the State Board of Health of California. As the Census Bureau compiles its vital statistics from these certificates, it can be readily seen that for those statistics to be valuable our reports of deaths must be complete.

Some of our counties have been in the past grossly negligent in the matter of collecting and forwarding death certificates. It is a satisfaction to note an improvement, but there is still room for more, and the Chief Statistician for Vital Statistics in the Federal Census Bureau draws attention to the fact that he will have to exclude from his records those counties in which all deaths are not properly registered.

This would be unfortunate for the State, and, particularly so, for the counties mentioned; and it is earnestly hoped that Registrars and sub-registrars will see to it that no body is allowed to be buried without a proper certificate.

If such a case occurs promptly inform the State Board of Health, and prosecutions will be begun at once against the undertaker who has violated the law.

ANTITOXIN.

We wish to again call the attention of the Health Officers and city officials to the arrangements made with the Cutter Laboratory of Berkeley to furnish antitoxin to indigents at a very small cost to the municipality.

It will be necessary for the trustees or city council to pass an ordinance authorizing the Health Officers to get and use the antitoxin. Many towns are doing this and all should, for it is the means of saving many lives.

We refer Health Officers to the October Bulletin for particulars.

FREE EXAMINATION OF SPUTUM.

At the present time there is no doctor that is at all well informed on the subject but what admits that tuberculosis if taken early is oftentimes, if not in a majority of cases, curable.

This being the case, there is no excuse for any physician for not using every effort to make an early diagnosis. While all cases do not show the tubercular bacilli in the sputum in the earliest stages, those with a cough generally do, so that no persistent cough should be neglected.

The State maintains a laboratory in Berkeley for the purpose of aiding physicians in making diagnoses, and the laboratory force is anxious for the chance to serve. Mailing cases will be sent on request and an early report made.

We urge the physicians of the State to avail themselves of this opportunity to have free examinations made. It will redound to their credit and be the means of saving many lives.

THE VALLEJO POISONING.

Probably the most extensive and serious poisoning that has ever occurred in California was that which followed the launching of the U. S. collier "Prometheus" at Mare Island Navy Yard, Saturday, December 5th.

The people of Vallejo, wishing to show their hospitality and make a gala day of the occasion, issued a large number of invitations and provided lunch for all. Shrimp and chicken salad, beef, tongue and chicken sandwiches, cold turkey, tongue and roast beef, cheese and coffee constituted the menu.

Sunday afternoon cases of sickness began to be reported to the doctors, but it was not until Monday that they came in such numbers as to make it evident that a wholesale poisoning had taken place; probably as many as eight hundred cases occurred out of three thousand served.

The symptoms were of gastric and intestinal irritation, and were of all degrees of severity even to death, two having thus far died.

It was so long after the lunch that the idea occurred of associating the sickness with it that the remnants had mostly been disposed of, but enough sandwiches were found to have the meats examined. The salad was eliminated as a feature, as none of those eating it alone were sick, and in a nearby orphanage, where sandwiches alone were sent, one hundred and twenty-four out of one hundred and thirty were sick.

The committee had ordered the best of everything, and no criticism can be laid upon them. The meats were to be fresh and of the best quality. It was two days from the time of the lunch until the attention of the authorities was called to the poisoning and then the food was badly decomposed.

A chemical examination did not reveal any preservative used, nor could ptomaine be established. One of the dead was a waiter at the lunch, and an inquest will be held which it is hoped will bring to light some cause for the wholesale poisoning.

While not wishing in any way to prejudge the case, the circumstances point strongly to the meat and probability that it was spoiled and decomposed.

This poisoning emphasizes strongly the need of a stronger pure food law and larger appropriations with which to enforce it. There should be ample authority vested in the State Board of Health to inspect all places providing for furnishing food for the public to consume, and when it is found unfit for consumption to forthwith destroy it and close the place until such time as conditions are made satisfactory.

PACIFIC COAST PUBLIC HEALTH ASSOCIATION.

The State Boards of Health of California, Oregon, and Washington, together with the representatives of the health departments of the principal cities of these states, held a meeting in Portland, December 15th, and perfected an organization, to be known as "The Pacific Coast Public Health Association."

The object of the association is uniform and harmonious work in protecting the Pacific coast against communicable disease.

The following resolutions were adopted:

The association desires to publicly recognize the character and value of the work that has been done in the places on this coast where bubonic plague has appeared. This work has been successful in stamping out the disease among human beings and reducing it to a minimum among rodents; achievements of no small moment, when the general history of the disease in the present pandemic is taken into consideration.

But while recognizing the thoroughness and the value of this work, the association desires to call attention to the peculiar nature of the disease, in that its permanency in a community does not depend upon its existence among human beings, but rather among rats. And while the epizootic is at present held in abeyance, its peculiar persistence must not be forgotten. In view of the foregoing, this association does hereby resolve:

First, That in its opinion the necessity of continuing the work of fighting the disease in the places where it has made its appearance still exists, and that the work should continue unabated for an indefinite period. Such work to include the catching and extermination of rodents.

Second, That reasonable precautionary regulations for vessels should be continued, this to include the fumigation of vessels in accordance with a uniform plan for all ports interested.

Third, That all municipalities of the states and provinces included in the boundaries of this association shall put uniform preventive measures into effect in accordance with recommendations of the association.

Following are the recommendations adopted:

1. The destruction and examination of rats for the plague.
2. Disinfection of all vessels at least once each month.
3. Sanitary improvements of such character as to secure efficient collection, care and destruction of garbage and stable offal.
4. Rendering all buildings, docks, warehouses, markets, etc., rat-proof.

With reference to the subject of tuberculosis the following resolutions were adopted:

The Public Health Association of the Pacific Coast, while recognizing the necessity for travel on the part of those afflicted with tuberculosis, desires, nevertheless, to call the attention of the medical profession to the evident danger to the public health necessarily involved in such travel, when the individual is ignorant of proper methods of personal hygiene or willfully negligent of the same.

1. That physicians discourage, as far as possible, travel in public conveyances by those afflicted with tuberculosis, and that when such travel is absolutely necessary, the patient be properly instructed as to methods of prophylaxis.

2. That the association use its influence looking to the enactment of state laws requiring the disinfection at the company's expense of all conveyances occupied by tubercular patients, before such conveyances are again used by the traveling public, and that pending the enactment of such laws, all local Health Officers be advised to secure such disinfection.

DEPARTMENT OF VITAL STATISTICS.

GEORGE D. LESLIE, STATISTICIAN.

VITAL STATISTICS FOR NOVEMBER.

Births.—The living births registered in November number 2,462, against 2,448 for October. For an estimated State population of 2,019,519, the November total represents an annual birth-rate of 14.9, as compared with 14.3 for October.

It is worth noting that on account of the improved registration of births in California the birth totals in recent months have risen to about the same as the death totals. This appears clearly from the following figures for the State as a whole, giving births and deaths exclusive of stillbirths in each case:

	July.	August.	September.	October.	November.
Births -----	2,497	2,408	2,340	2,448	2,462
Deaths -----	2,482	2,415	2,369	2,410	2,484

The November birth totals were highest for the following counties: San Francisco, 642; Los Angeles, 518; Alameda, 272; Santa Clara, 101; Sacramento, 74; Fresno, 69; and Orange, 59.

The births registered in the leading freeholders' charter cities in November were: San Francisco, 642; Los Angeles, 356; Oakland, 143; Sacramento, 47; Berkeley, 44; San Diego, 42; Alameda, 36; Pasadena, 34; San Jose, 31; and Fresno, 30.

Marriages.—The marriages reported for November number 2,036, against 1,950 for October, and represent an annual marriage-rate of 12.1, as compared with 11.4 for the preceding month.

It may be remarked that because of the shyness of women concerning leap year proposals, the marriage total for 1908 bids fair to fall short of that for 1907 by 1,000 or so. Thus, the marriages in California for January-November, 1908, number only 19,761 against 20,745 for January-November, 1907.

The November marriage totals were highest for the following counties: San Francisco, 403; Los Angeles, 368; Alameda, 242; Santa Clara, 84; Sacramento, 75; Fresno, 69; Orange and San Diego, each 61; Marin, 54; San Bernardino, 51; and San Joaquin, 50.

Deaths.—Altogether 2,484 deaths, exclusive of stillbirths, were reported for November, against 2,410 for October. The annual death-rate for November is 15.0 per 1,000 population, as compared with 14.3 for October.

The November death totals were highest for the following counties: San Francisco, 519; Los Angeles, 485; Alameda, 254; Sacramento, 106;

Santa Clara, 99; Fresno and San Joaquin, each 86; San Bernardino, 61; San Diego, 57.

Deaths for November were reported as follows for the leading cities: San Francisco, 519; Los Angeles, 302; Oakland, 123; Sacramento, 78; San Diego, 45; Stockton, 44; Fresno and San Jose, each 38; Berkeley, 32; Alameda, 31; and Pasadena, 25.

Causes of Death.—In November there were 400 deaths, or 16.1 per cent of all, from diseases of the circulatory system, and 317, or 12.8 per cent, from various forms of tuberculosis, heart disease thus leading tuberculosis as in October.

Other notable causes of death in November were: Violence, 254; diseases of respiratory system, 248; diseases of the nervous system, 237; diseases of the digestive system, 223; Bright's disease and nephritis, 162; epidemic diseases, 141; and cancer, 138.

Typhoid fever, as usual, was the leading epidemic disease in November, causing 55 deaths. However, diphtheria and croup made a close second with 40 deaths, while only 46 deaths altogether were due to various other epidemic diseases.

Further details appear in the following table, which gives the number of deaths from certain principal causes reported for California in November, as well as the proportions from each cause per 1,000 total deaths for both November and October:

Cause of Death.	Deaths: November.	Proportion per 1,000.	
		November.	October.
ALL CAUSES.....	2,484	1,000.0	1,000.0
Typhoid fever.....	55	22.2	24.9
Malarial fever.....	4	1.6	4.1
Smallpox.....	2	0.8	-----
Measles.....	5	2.0	1.2
Scarlet fever.....	16	6.4	2.5
Whooping-cough.....	3	1.2	1.7
Diphtheria and croup.....	40	16.1	9.5
Influenza.....	7	2.8	1.2
Other epidemic diseases.....	9	3.6	4.1
Tuberculosis of lungs.....	271	109.1	122.4
Tuberculosis of other organs.....	46	18.5	16.2
Cancer.....	138	55.6	56.4
Other general diseases.....	88	35.4	32.8
Meningitis.....	35	14.1	15.8
Other diseases of nervous system.....	202	81.3	73.9
Diseases of circulatory system.....	400	161.0	141.9
Pneumonia and broncho-pneumonia.....	174	70.1	56.0
Other diseases of respiratory system.....	74	29.8	26.6
Diarrhea and enteritis, under 2 years.....	73	29.4	45.7
Diarrhea and enteritis, 2 years and over.....	15	6.0	10.0
Other diseases of digestive system.....	135	54.4	61.0
Bright's disease and nephritis.....	162	65.2	64.7
Childbirth.....	17	6.9	11.2
Diseases of early infancy.....	91	36.6	41.5
Suicide.....	64	25.8	30.7
Other violence.....	190	76.5	80.1
All other causes.....	168	67.6	63.9

Geographic Divisions.—The table below shows the number of deaths from main classes of diseases reported for November for the several

geographic divisions of the State, including the metropolitan area, or "Greater San Francisco," in contrast with the rural counties north of Tehachapi:

Geographic Division.	DEATHS: NOVEMBER.									
	All Causes	Epidemic Diseases	Tuberculosis (All Forms)	Cancer	Diseases of Nervous System	Diseases of Circulatory System	Diseases of Respiratory System	Diseases of Digestive System	Violence	All Other Causes
THE STATE	2,484	141	317	138	237	400	248	223	254	526
Northern California	331	29	30	14	42	55	33	22	48	58
Coast counties	160	8	19	7	28	26	11	12	17	32
Interior counties	171	21	11	7	14	29	22	10	31	26
Central California	1,452	76	146	91	133	247	154	144	146	315
San Francisco	519	26	59	36	30	93	64	44	45	122
Other bay counties	314	13	24	21	26	56	31	34	34	75
Coast counties	167	8	16	11	24	36	11	13	17	31
Interior counties	452	29	47	23	53	62	48	53	50	87
Southern California	701	36	141	33	62	98	61	57	60	153
Los Angeles	485	24	103	24	39	70	43	37	37	108
Other counties	216	12	38	9	23	28	18	20	23	45
Northern and Central California	1,783	105	176	105	175	302	187	166	194	373
Metropolitan area	833	39	83	57	56	149	95	78	79	197
Rural counties	950	66	93	48	119	153	92	88	115	176

DEPARTMENT OF PURE FOODS AND DRUGS.

PROF. M. E. JAFFA, DIRECTOR.

Food Inspection Decision 98, United States Department of Agriculture, has lately been received at the State Laboratory, and in view of the importance to those interested in California it is thought best to reprint the decision in full.

December 1, 1908.

The Honorable the Secretary of Agriculture.

SIR: I am duly in receipt of your letter of this date. In this you call my attention to a passage in my opinion of April 10, 1907, addressed to the President, which passage is in the words following:

I conclude that a combination of whiskey with ethyl alcohol, supposing, of course, that there is enough whiskey in it to make it a real compound and not a mere semblance of one, may be fairly called "Whiskey," provided the name is accompanied by the word "Compound" or "Compounded," and provided a statement of the presence of another spirit is included in substance in the title—

and you ask me how much whiskey must be in a mixture of whiskey and neutral spirits to fairly entitle this mixture to be called a "Compound" or "Compounded" whiskey, or, as stated in your letter, "whiskey: a compound of pure grain distillates."

In the passage in question I stated that there must be, in any such a mixture, "enough whiskey * * * to make it a real compound and not a mere semblance of one." In the absence of any legislative provision or judicial determination on this subject, the proportion of whiskey necessary for the purpose in question can be

stated only tentatively and for the time being; and a selection of any particular fraction of the whole as a necessary proportion must be, at least in appearance, somewhat arbitrary. I have, however, very carefully examined the evidence on this subject submitted by your Department, and, after full consideration of such evidence, have reached the conclusion that, until better informed in the premises from the action of the Congress or of the courts, this Department will not advise a prosecution on the ground of violation of law in using any one of the three labels above suggested or any substantial equivalent therefor when the amount of whiskey in the mixture equals or exceeds one third in volume of the spirituous content; that is to say, in the case you mention, one-third of the whiskey and neutral spirits combined.

Very respectfully,

CHARLES J. BONAPARTE,
Attorney General.

FOOD INSPECTION DECISION 100—BLEACHED FLOUR.

Flour bleached with nitrogen peroxid, as affected by the Food and Drugs Act of June 30, 1906, has been made the subject of a careful investigation extending over several months.

A public hearing on this subject was held by the Secretary of Agriculture and the Board of Food and Drug Inspection, beginning November 18, 1908, and continuing five days. At this hearing those who favored the bleaching process and those who opposed it were given equal opportunities to be heard.

It is my opinion, based upon all the testimony given at the hearing, upon the reports of those who have investigated the subject, upon the literature, and upon the unanimous opinion of the Board of Food and Drug Inspection, that flour bleached by nitrogen peroxid is an adulterated product under the Food and Drugs Act of June 30, 1906; that the character of the adulteration is such that no statement upon the label will bring bleached flour within the law, and that such flour can not legally be made or sold in the District of Columbia or in the Territories; or be transported or sold in interstate commerce; or be transported or sold in foreign commerce except under that portion of section 2 of the law which reads:

* * * That no article shall be deemed misbranded or adulterated within the provisions of this act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped. * * *

In view of the extent of the bleaching process and of the immense quantity of bleached flour now on hand or in process of manufacture, no prosecutions will be recommended by this Department for manufacture and sale thereof in the District of Columbia or the Territories or for transportation or sale in interstate or foreign commerce, for a period of six months from the date hereof.

(Signed) JAMES WILSON,
Secretary of Agriculture.

The Laboratory is in receipt of six Notices of Judgment, as listed below, from the United States Department of Agriculture:

JUDGMENT No. 22.

Misbranding of Eggs.—The facts in the case were in part as follows:

On December 19, 1907, an inspector of the Department of Agriculture purchased from the F. Rogerson Company, 920 Louisiana avenue, Washington, D. C., samples of eggs, which were contained in crates, upon the ends of which were pasted labels bearing the statement "Strictly Fresh Eggs from Golden & Co., 922-928 Louisiana avenue, Washington, D. C." The eggs had been purchased on said date by the Rogerson Company from Golden & Co.

The eggs were forthwith examined in the Bureau of Chemistry of said Department, and the result disclosed that they were not fresh; that the albumen in some of the eggs clung to the shell membrane; that the size of the air chamber varied from

one fifth to almost one half the size of the egg, showing a large amount of evaporation; that minute rosette crystals were in the albumen of each egg, and that large rosette crystals were in the yolk of each egg. The eggs were therefore misbranded within the meaning of section 8 of the act.

JUDGMENT No. 23.

Adulteration and Misbranding of Vinegar.—The facts in this case were in part as follows:

On or about May 4, 1908, an inspector of the Department of Agriculture located in the possession of the Oklahoma Supply Company of Oklahoma City, Oklahoma, 65 barrels of distilled vinegar which was consigned to it by the Illinois Vinegar Manufacturing Company, Chicago, Ill., on January 30, 1908. There were no labels or other descriptive matter on the barrels, except a strip of blue paint from 6 to 8 inches wide, placed upon and across one head of each barrel, and together with a stamp upon this blue mark were figures showing the number of gallons and the number "112."

It was evident from the analysis by the Department that the product was both adulterated and misbranded within the meaning of the act; adulterated for the reason that it was a distilled vinegar, colored in imitation of apple or cider vinegar, thereby concealing inferiority; and misbranded because the barrel contained distilled vinegar colored to imitate an article of distinctive name, that is to say, apple or cider vinegar, without being labeled, tagged, or branded, so as to plainly indicate that it was an "imitation" and without having that word plainly stated upon each of the barrels.

JUDGMENT No. 24.

Adulteration and Misbranding of Molasses.—The facts of the case were in part as follows:

On or about July 17, 1908, an inspector of the Department of Agriculture found in the possession of the W. C. Early Company, Memphis, Tenn., 139 cases containing 1,656 cans of a product, each can being branded "Early Bird Brand Sugar House Molasses, put up for W. C. Early Company, Memphis, Tennessee." On another part of the label appeared the statement "Louisiana Sugar House Molasses and Grape Sugar, in Solution Mixed." The goods were shipped from New Orleans to the W. C. Early Company by the White, Wilson, Drew Company on October 28, 1907, January 15, 18, and July 5, 1908. A sample of the product was procured and analyzed in the Bureau of Chemistry, Department of Agriculture.

It was evident from the analysis of the Department that the product was adulterated within the meaning of section 7 of the act, in that glucose had been substituted in part for molasses, thereby reducing its quality and strength, and that it was misbranded under section 8 of the act, for the reason that the label represented the content of the cans to be molasses containing a solution of grape sugar, while, as a matter of fact, the product was a mixture of molasses and glucose.

JUDGMENT No. 25.

Misbranding of a Drug.—The complete notice of this judgment consists of 11 pages and can, with any or all of the others listed, be obtained upon application to the Director of the State Food and Drug Laboratory, Berkeley. The facts in this case were in part as follows:

On August 27, 1907, an inspector of the Department of Agriculture purchased from a firm of retail druggists in Washington, D. C., samples of a preparation contained in bottles encased in cartons, upon the principal side of each of which was printed the following:

HARPER'S CUFORHEADAKE BRANE-FUDE.

Read inner circular.

Guaranteed under the Food and Drug Act,
June 30, 1906. No. 6707.

Each Oz. contains 30% alcohol and 16 grs.
acetanilid.

A positive relief for Headache, Neuralgia,
Nervousness, Insomnia, &c.

It is taken in doses of two teaspoonfuls in a little water and repeated in 20 or 30 minutes if not relieved, and again in 30 minutes after the second dose, if that should not give the desired effect.

For insomnia, two teaspoonfuls at bed time; for nervousness, two teaspoonfuls every 2 or 3 hours.

The bottles were similarly labeled and the words "Harper's Cuforhedake Brain Food, Washington, D. C.," were blown in the glass. A folded circular inclosed with each bottle contained, among other things, the following statements:

"A most wonderful, certain and harmless relief," and "The rapidity by which it cures and the after effects being pleasant and without any depression whatever, containing no morphine or poisonous ingredients of any kind, is, I think, sufficient guarantee of its superior qualities."

The preparation was duly analyzed in the Bureau of Chemistry of the Department of Agriculture, and it was found that it consisted of the following ingredients:

Alcohol (per cent by volume).....	24.2
Acetanilid (grains per ounce).....	15.0
Caffein (per cent).....	1.5
Antipyrin (per cent).....	1.0
Potassium, sodium, and bromids also present.	

After comparison of this analysis with the aforesaid labels and statements, the Secretary of Agriculture was of the opinion that the preparation was misbranded within the meaning of section 8 of the Food and Drugs Act of June 30, 1906. Accordingly, on October 17, 1907, in pursuance of the provisions of section 4 of the act, he afforded the dealers from whom the samples were purchased a hearing at the Bureau of Chemistry of the Department. The manufacturer and vendor of the preparation, Robert N. Harper, also appeared and participated in the hearing. As no evidence was produced tending to show fault or error in the aforesaid analysis, the Secretary reported the facts to the Attorney General. The facts were duly referred to the United States Attorney for the District of Columbia, who, on January 14, 1908, filed an information in the Police Court of the District of Columbia against Robert N. Harper, alleging the manufacture and sale by him in the District of Columbia of a misbranded drug, contained in bottles and cartons and accompanied by circulars upon and in which were blown and printed certain false and misleading statements regarding it, that is to say, That the said drug was a "Cuforhedake Brane-Fude" or "Cuforhedake Brain Food"; that said drug contained no poisonous ingredients of any kind; that said drug was a harmless relief; and that each ounce thereof contained 30 per cent of alcohol.

The case was duly submitted to a jury upon testimony and the defendant found guilty and sentenced to pay a fine of \$500, which was subsequently paid and the case closed.

JUDGMENT No. 26.

Misbranding of Canned Blackberries.—The facts in the case were in part as follows:

On July 29, 1908, an inspector of the Department of Agriculture collected from a consignment of canned blackberries in the custody of the Ridenour-Baker Mercantile Company, Oklahoma City, Oklahoma, 6 cans which were contained in a shipping case bearing the label "Lindale Brand, 2 lb. Blackberries, Packed by J. S. Ogburn & Company, Lindale, Texas." The samples were a part of consignment of 800 cases shipped to the Ridenour-Baker Mercantile Company by J. S. Ogburn & Company, Lindale, Texas, on June 15, 1908, and seized on July 28, 1908, by the United States marshal under proceedings for forfeiture and condemnation.

As the average gross weight of each can was found to be less than 1 pound 8 ounces, and the claim was made on the label that each can weighed 2 pounds, the goods were misbranded. The United States attorney for the western district of Oklahoma filed an information against J. W. Ogburn for the aforesaid offense, with the result hereinbefore stated.

JUDGMENT No. 27.

Misbranding of Canned Blackberries.—The facts in the case were in part as follows:

On or about July 24, 1908, an inspector of the Department of Agriculture found in the possession of the Ridenour-Baker Mercantile Company of Oklahoma City, Oklahoma, 800 cases each containing 24 cans of blackberries, labeled "Lindale Brand, 2 lb. Blackberries, Packed by J. S. Ogburn & Company, Lindale, Texas." No statement of weight appeared on any of the cans. A number of the cans was weighed and the gross weight varied from 1 pound 5 ounces to 1 pound 13 ounces.

On July 25, 1908, the facts were reported by the Secretary of Agriculture to the United States attorney for the western district of Oklahoma, and libel for seizure and condemnation was duly filed, with the result hereinbefore stated.

WARNING TO VENDORS OF SODA WATER SYRUPS.

From the reports of inspectors, it would appear that there are some parties who sell "soda water syrups" without having the same properly labeled. It should be distinctly understood by all such parties that if the syrups in question are artificially colored, flavored or sweetened, such facts must be conspicuously stated on the labels of the containers of such syrups. If the containers are hidden, then the necessary facts should be stated on a placard which is conspicuously placed in the place of sale. If the syrups are made from pure fruit juices, and no artificial coloring, flavoring or sweetening is used, there is no necessity of any label, but only in such cases.